

Customer No. 21874

Attorney Docket No. 4634256603

TECH CENTER 1600/2300

MAY 14 2002

RECEIVED

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**APPLICANT(S):** M. Nanba et al.

**U.S.S.N.:** 10/009,158

**GROUP ART UNIT:** Not Yet Known

**FILED:** October 25, 2001

**EXAMINER:** Not Yet Known

**FOR:** HUMAN CELL LINE SHOWING STABLE EXPRESSION OF  
CYTOCHROMES P450

\*\*\*\*\*

**CERTIFICATE OF MAILING**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Assistant Commissioner for Patents, Box PCT (DO/EO/US), Washington, D.C. 20231 on April 30, 2002.

By:

Deborah Barfield  
Deborah Barfield

\*\*\*\*\*

Assistant Commissioner for Patents  
Box PCT  
Washington, D.C. 20231

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.  
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Dear Sir:

Applicant recently received a Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), mailed on March 1, 2002. The Notice stated that the Applicant must furnish the following:

- a. The oath or declaration of the inventors identifying the application by international application number and international filing date; and
- b. A \$130 surcharge as a late fee.

1. This application was originally filed as a PCT application PCT/JP00/02763 with an international filing date of April 27, 2000.

2. The United States national phase application (now U.S.S.N. 10/009,158) was filed on October 25, 2001. Included in the filing was a return postcard, which was returned to our offices on December 26, 2001. A copy of the returned postcard with the USPTO-stamped date and serial number is attached.

3. In addition to the return postcard above, the October 25, 2001, filing included the following items:

- a. Transmittal letter to the U.S. Receiving Office (1 p);
- b. Transmittal letter to the U.S. Designated/Elected Office (2 pp);
- c. Copy of International Application (WO00/65031);
- d. English Translation of Specification (52 pp), in addition to:
  - i. Claims (4 pp);
  - ii. Abstract (1 p);
  - iii. Figures 1-7 (7 sheets) and Chart of Enzyme Activity (1 sheet);
- e. Forms PCT/RO/101; /IB/304; /IPEA/408; /IB/332; /RO/105; /IPEA/401; /IS/220; /IB/308; /IB/301; /IPEA/402; PCT/ISA/210; PCT/IPEA/416; and /IPEA/409;
- f. English Translation of Priority Document (47 pp), in addition to:
  - i. Figures (4 sheets); and
  - ii. Abstract (1 sheet).
- g. Declaration and Power of Attorney (executed) (4 pp);**
- h. Assignment (executed) (3 pp) and Recordation Form PTO-1595 Cover Sheet (1 page);

- i. Information Disclosure Statement (4 pages); PTO-1449 (1 sheet); and Prior Art (7 items);
- j. Check for \$1,014.00 filing fee and recordation; and
- k. Certificate of Express Mail Label EL 789783606 US.

4. A copy of the executed Declaration and Power of Attorney (item g in the above list of items filed October 25, 2001), which includes the PCT international application number PCT/JP00/02763 and international filing date of April 27, 2000, is attached.

5. On March 19, 2002, Applicant contacted Examiner Anita D. Johnson at (703) 305-3661. Examiner Johnson took my name and telephone number and stated that she would check the file to confirm that the executed Declaration and Power of Attorney had been filed on the filing date October 25, 2001. She stated that she would contact me the next day.

6. On March 20, 2002, Examiner Johnson telephoned me and stated that she had checked the file for U.S.S.N. 10/009,158 and that she was confirming that the executed Declaration had been filed. She instructed us to disregard the Notification of Missing Requirements and stated that she would send us a Notice of Acceptance.

7. Due to concerns about the approaching two-month deadline, we are hereby sending the following items:

- a. A copy of the executed Declaration and Power of Attorney previously filed on October 25, 2001;
- b. A copy of the USPTO-stamped return postcard listing the above executed Declaration and Power of Attorney and stamped as U.S.S.N. 10/009,158, received at PCT/PTO on 25 Oct. 2001;

Customer No.: 21874  
Attorney Docket No.: 46342/56603  
U.S. Serial No.: 10/009,158  
Filing Date: October 25, 2001  
Group Art Unit: Not Yet Known  
Examiner: Not Yet Known  
Page 4

c. A copy of the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US); and

d. A return postcard.

8. Applicant respectfully notes that the executed Declaration and Power of Attorney was filed timely on October 25, 2001, and that, therefore, no surcharge is due.

9. Applicant respectfully requests acknowledgment of the timely filing of the executed Declaration and Power of Attorney on October 25, 2001.

10. Applicant also hereby requests issuance of an Official Filing Receipt, including the filing date of October 25, 2001.

If the Examiner has any questions concerning this Response, he/she is requested to contact the undersigned. It is not believed that any fee is required, however, if any fee is required, the Examiner is authorized to charge the appropriate fee to Deposit Account No. **04-1105**.

05/07/2002 MALI11 00000083 041105 10009158  
01 FC:154 130.00 CH

Respectfully submitted,

Date: April 30, 2002

By: Kathryn A. Piffat, Ph.D.  
Kathryn A. Piffat, Ph.D.  
Reg. No. 34,901  
Attorney for Applicant(s)

Dike, Bronstein, Roberts & Cushman  
Intellectual Property Practice Group of  
EDWARDS & ANGELL, LLP  
P. O. Box 9169  
Boston, MA 02209  
Tel: (617) 439-4444  
Fax: (617) 439-4170

BOS2\_299859.1

DGL/KAP

**RECEIVED IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Mail Date: October 25, 2001  
Applicant: Takeda Chemical Industries, Ltd.

Attorney/Sec: KAP/jah  
Client: 46342 / Docket No.: 56603

Serial No.: N/A

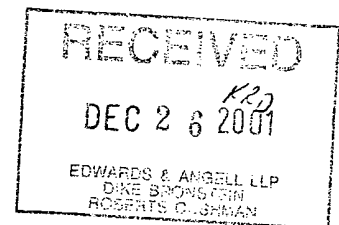
Filing Date: HEREWITH **1018** Rec'd PCT/PTO **25 OCT 2001**

Inventor(s): Masayoshi NANBA, Satoru ASAHI, Sumie YOSHITOMI, and Keiko IKEMOTO

Title: HUMAN CELL LINE SHOWING STABLE EXPRESSION OF CYTOCHROMES P450

The dating stamp of the Patent and Trademark Office will be taken as the date of mailing of:

Transmittal Letter to the United States Receiving Office (1) pg;  
Transmittal Letter to the United Designated /Elected Office (2) pgs;  
Copy of International Application (WO00/65031);  
English Translation of Specification (52) pgs; Claims (4) pgs; Abstract (1) pg;  
Figures 1-7 (7) sheets; and Chart of Enzyme Activity (1) sheet;  
Form(s) PCT/RO/101, /IB/304, /IPEA/408, /IB/332, /RO/105, /IPEA/401, /IS/220, /IB/308,  
/IB/301, /IPEA/402, PCT/ISA/210, /PCT/IPEA/416 and IPEA/409;  
English Translation of Priority Document (47) pgs; Figures (4) sheets, Abstract (1) sheet;  
Declaration and Power of Attorney (executed) (4) pages;  
Assignment (executed) (3) pages; and Recordation Form PTO-1595 Cover Sheet (1) page;  
Information Disclosure Statement (4) pgs. PTO-1449 (1) sheet, Prior Art (7)  
Check for \$1,014.00 filing fee and Recordation, and  
Certificate of Express Mail Label EL 789783606 US

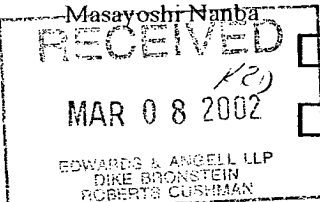


RECEIVED  
MAY 14 2002  
TECH CENTER 1600/2900



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/009,158	FIRST NAMED APPLICANT Masayoshi Namba	ATTY. DOCKET NO. 46342/56603		
		INTERNATIONAL APPLICATION NO. PCT/JP00/02763		
		<table border="1"> <tr> <td>LA. FILING DATE 04/27/2000</td> <td>PRIORITY DATE</td> </tr> </table>	LA. FILING DATE 04/27/2000	PRIORITY DATE
LA. FILING DATE 04/27/2000	PRIORITY DATE			

David G Conlin  
 Dike Bronstein Robert & Cushman  
 Intellectual Property Grp of Edwards & Angell  
 PO Box 9169  
 Boston, MA 02209

CONFIRMATION NO. 8650

371 FORMALITIES LETTER



\*OC000000007554144\*

Date Mailed: 03/01/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Assignee Statement
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Request for Immediate Examination

*File Missing Parts*  
 Edwards & Angell LLP  
 Dike, Bronstein, Roberts & Cushman  
 101 Federal St. Boston, MA 02110  
 Date Rec'd 3/8/02  
 Docketed For May 1 - Sep 4, 2002  
 By KRD  
 Approved W-3/9/02

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

**RECEIVED**

MAY 14 2002

TECH CENTER 1600/2900

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

ANITA D JOHNSON

Telephone: (703) 305-3661

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/009,158	PCT/JP00/02763	46342/56603

FORM PCT/DO/EO/905 (371 Formalities Notice)